



12-13-01

5 Sector

Practitioner's Docket No. 2001-0079.01

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Denton, Gary Allen; Tungate, Jr., Stanley Coy

Application No.: 09/965.264 Group No.: 2872

Filed: September 27, 2001 Examiner:

For: Method of Setting Laser Power and Developer Bias in an Electrophotographic Machine

Based on an Estimated Intermediate Belt Reflectivity

**Box Missing Parts**  
**U.S. Patent and Trademark Office**  
**P.O. Box 2327**  
**Arlington, VA 22202**

**COMPLETION OF FILING REQUIREMENTS  
-- NONPROVISIONAL APPLICATION**

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed November 6, 2001.

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner of Patents, Washington D.C. 20231

37 CFR 1.8a

with sufficient postage as first class mail.

as "Express Mail Post Office to Addressee" Mailing Label No. EK461572609 US

**TRANSMISSION**

facsimile transmitted to the Patent and Trademark Office, 703 \_\_\_\_\_

*Amy R. Lemay*  
Signature

Date: 12/11/01

*Amy R. Lemay*  
Type or print name of person certifying

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

#### **DECLARATION OR OATH**

**II.** No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

#### **EXTENSION OF TIME**

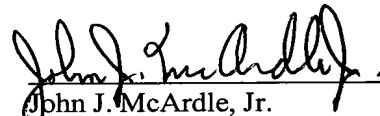
**III.** The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### **TOTAL FEE DUE**

**IV.** Please see attached Fee Transmittal for Total Fee Due and Deposit Account information.

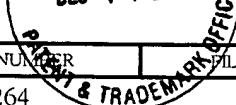
Date: December 11, 2001

  
John J. McArdle, Jr.  
Registration No. 26,770  
Lexmark International, Inc.  
Intellectual Property Law Department  
740 West New Circle Road  
Lexington, KY 40550  
859-232-3939  
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UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 11 2001



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/965,264	09/27/2001	Gary Allen Denton	2001-0079.01

021972  
LEXMARK INTERNATIONAL INC  
INTELLECTUAL PROPERTY LAW DEPARTMENT  
740 WEST NEW CIRCLE ROAD  
LEXINGTON, KY 40550

CONFIRMATION NO. 3413  
FORMALITIES LETTER



\*OC000000007029504\*

Date Mailed: 11/06/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

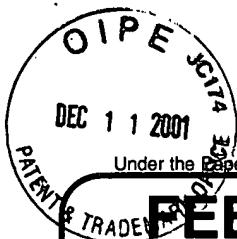
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/17/2001 CCHAU1 00000125 121213 09965264

01 FC:105 130.00 CH



DEC 11 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEET TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

## Complete if Known

Application Number	09/965,264
Filing Date	September 27, 2001
First Named Inventor	Gary Allen Denton
Examiner Name	
Group Art Unit	2872
Attorney Docket No.	2001-0079.01

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:Deposit Account Number  
12-1213

Lexmark International, Inc.

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X =
Independent Claims	-3** =	X =
Multiple Dependent		=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) Missing Parts			130.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

130.00

SUBMITTED BY				Complete (if applicable)
Name (Print/Type)	John J. McArdle, Jr.	Registration No. (Attorney/Agent)	26,770	Telephone 859-232-3939
Signature				Date December 11, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.